

The claims have been rewritten to remove the bases for the rejections under 35 USC 112, second paragraph appearing at paragraph 7 of the Official Action and the objection appearing at paragraph 6 of the Official Action. In addition, the means for permitting the rear ski member to flex between the spaced locations has been positively recited in accordance with the specification as filed at, for example, page 4, lines 9-12 and page 9, line 26 to page 10, line 18. All other recitations in the claims as rewritten correspond to the recitations in the claims previously on file and draw clear support from the specification as filed.

The subject matter to which the Examiner objects at paragraph 2 of the Official Action has been deleted from the claims whereby to remove the basis for objection at paragraph 2.

Certain claims have been rejected under 35 USC 102(b) as allegedly being anticipated by Dulski, and other claims have been rejected under 35 USC 103(a) as allegedly being unpatentable over Dulski, either alone or in combination with Frame, Laycraft or Muller et al. Applicant respectfully traverses these rejections.

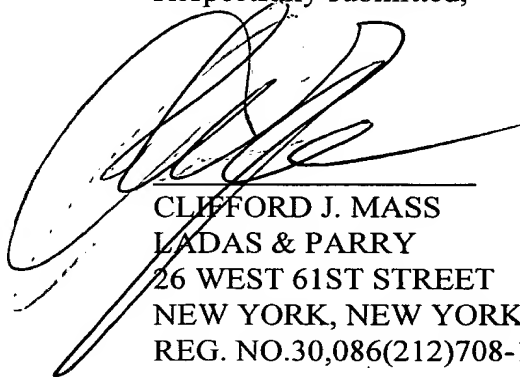
As discussed in the specification in the paragraph bridging pages 9 and 10, if the frame members 51 and 52 were fixedly secured to the rear ski member 67, it is possible that fracture of the rear ski could occur. To avoid this and other problems, in the claimed ski vehicle the frame is attached to the rear ski member at longitudinally spaced locations in a pivotal manner that permits the rear ski member to flex between

the spaced locations.

This feature of the claimed invention is not shown or suggested in any of the cited prior art references, either alone or in proper combination. US 2,883,205 (Dulski) fails to disclose any longitudinally spaced apart pivotal connections of the rear ski member to the frame as claimed. The other citations relied on by the Examiner in numbered paragraphs 12 to 14, namely US 4,027,891 (Frame), US 4,097,055 (Laycraft) and US 4,305,603 (Muller) also fail to disclose longitudinally spaced pivotal connections and therefore are incompetent to supplement the deficiencies of the primary reference. This being the case the references, even assuming for the sake of argument that they were properly combinable, would not arrive at the claimed invention.

In view of the above, the claims as amended are believed patentably to distinguish over the cited art and the application is believed to be in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



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IN THE SPECIFICATION:

Page 6, please amend the second paragraph as follows:

Secured in the vicinity of the juxta position of the first and third frame members and the second and third frame members via brackets 64, 65 is a rear ski member 67 which is substantially parallel to the third frame member 53. The rear ski member, preferably, has upturned front and rear ends and the rear ski member has a width substantially the same as that of the overall width of the footrest. However, if the footrest is located a sufficient height above the rear ski member, the footrest lateral width may be greater than that of the rear ski member. The reason for the rear ski member having substantially the same width as the footrest is so that the footrests do not contact the snow when cornering. Footrests are provided since, if a user places [their] his or her feet directly on the rear ski member 67, the board forming the rear ski member flexes and the load imparted by the user's feet on the rear ski member affects directional stability.

Page 10, please amend the third full paragraph as follows:

The present invention outperforms the snowscoot in its ability to turn more easily. This is due to the seat which is in a position that enables the user to lean against the frame with the inside of [their] his or her leg to turn the bike effortlessly. The snowscoot does have a down frame member for this purpose, but it is not as effective.